

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

CARMEN HERNANDEZ

v.

CA 09-428 ML

MICHAEL J. ASTRUE,
Commissioner of Social Security

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Martin on September 28, 2010. Neither party has filed an objection and the time for doing so has passed.

The Court has reviewed the Report and Recommendation and finds that the factual findings and legal conclusions are fully supported by the record. Accordingly, this Court adopts the Report and Recommendation in its entirety. Defendant's Motion to Affirm is DENIED. Plaintiff's Motion to Reverse is GRANTED and the matter is REMANDED for further administrative proceedings consistent with the Report and Recommendation.

SO ORDERED:



Mary M. Lisi
Chief United States District Judge
October 19 , 2010